

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6044 of 2019**

- Baisakhin Bai W/o Kartik Ram Dhurve Aged About 28 Years, R/o Village Komo P.S. Taregaon Jungle, Tahsil Bodla, District- Kabirdham, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : P.S. Taregaon Jungle, District- Kabirdham, Chhattisgarh.

---- Respondent

For Applicant	: Mr. F. S. Khare, Adv.
For Respondent/State	: Ms. Akshra Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 17/2019 registered at Police Station Taregaon Jungle, District-Kabirdham (C.G.) for the offence punishable under Section 306/34 of IPC.
2. The prosecution story, in brief is that, on 26.05.2018 deceased Basanti Bai died by consuming poison. The husband was committing *marpeet* and pressuring with an intention to throw out the deceased from home so that the husband get marry with other woman and the present applicant was helping the husband of the deceased to commit *marpeet*. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is pregnant of 9 weeks and 05 days. The applicant is in jail since 08.08.2019, there is no likelihood

of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the present applicant is a 9 weeks and 5 days pregnant lady and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**